

ORIGINAL

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
for the

Central District of California

United States of America
v.

)

) Case No: CR 05-1049 ODW

) USM No: 33229-112

) Michael J. Treman

) Defendant's Attorney

Date of Previous Judgment: 10/29/2007
(Use Date of Last Amended Judgment if Applicable)**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 32Amended Offense Level: 29Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 121 to 151 monthsAmended Guideline Range: 100 to 125 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

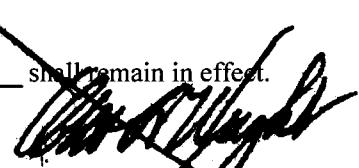
The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

Defendant was sentenced to the statutory minimum of 120 months which was just below the guidelines range. Technically, defendant was not sentenced to a term of imprisonment based upon a sentencing range that has been lowered by the Sentencing Commission.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 10/29/2007 shall remain in effect.

IT IS SO ORDERED.Order Date: 06/19/2008
OTIS D. WRIGHT

Judge's Signature

Effective Date: 06/19/2008
(if different from order date)

Otis D. Wright II, U.S. District Judge

Printed name and title